

Daniel D. Harshman, Esq. (SBN 177139)
COZEN O'CONNOR
425 California Street, Suite 2400
San Francisco, California 94104
Telephone: 415.617.6100
Facsimile: 415.617.6101

Attorneys for Plaintiff
ACE CAPITAL LIMITED on its own behalf and on behalf
of Underwriting members of Syndicate 2488

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ACE CAPITAL LTD on it own behalf and on behalf
of Underwriting members of Syndicate 2488,

Plaintiff,

vs.

STUBHUB, INC.

Defendant.

Case No.: C-07-04935 MHP

NOTICE OF DISMISSAL OF ACTION

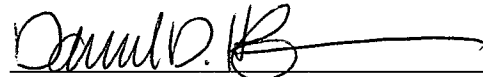
F.R.C.P. 41(a)(1)

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiffs ACE
CAPITAL LTD hereby dismisses with prejudice its action against the defendant.

DATED: November 27, 2007

COZEN O'CONNOR

By:



DANIEL D. HARSHMAN

Attorneys for Plaintiff

ACE CAPITAL LIMITED on its own behalf
and on behalf of Underwriting members
of Syndicate 2488

PROOF OF SERVICE

I, the undersigned, declare: I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the County of San Francisco, California, in which county the within mentioned service occurred. My business address is Cozen O'Connor, 425 California Street, Suite 1800, San Francisco, California 94104; Telephone: (415) 617-6100; Facsimile: (415) 617-6101.

On the date set forth below, I served the foregoing document(s):

NOTICE OF DISMISSAL OF ACTION

on the parties, through their attorneys of record, addressed as set forth below:

HOWREY LLP
Keith A. Meyer
Stephanie M. Byerly
550 South Hope Street, Suite 1100
Los Angeles, California 90071

- ☐ **(By Facsimile)** I caused each such document to be sent via telecopier to the facsimile numbers listed for each party on the Service List on this date before 6:00 p.m.
- ☐ **(By First Class Mail)** I sealed each envelope and caused each, with first-class postage thereon fully prepaid, to be placed for deposit in the United States mail at San Francisco, California.
- ☐ **(By Personal Service)** I caused each such envelope, with courier charges prepaid, if applicable, to be personally delivered by messenger and/or in-house messenger to the offices of each addressee.
- ☒ **(By CM/ECF)** By electronically using the court's CM/ECF electronic filing/service system.
- ☐ **(By Federal Express/UPS)** I caused each such envelope, with shipping charges fully prepaid, to be delivered to a Federal Express/UPS pick up box at San Francisco, California for next business day delivery.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America and of the State of California that the foregoing is true and correct.

Executed November 27, 2007, at San Francisco, California.

By: 

Maria J. Uhl